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Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



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Director

TRIBAL CONSULTATION ANNUAL REPORT

July 1, 2014 – June 30, 2015

Agency Overview

The Arizona Legislature established the Arizona Department of Environmental Quality (ADEQ) as the state's environmental regulatory agency under the Environmental Quality Act of 1986. ADEQ's mission is to protect and enhance public health and the environment in Arizona. The department achieves this mission by administering the state's environmental laws and delegated federal programs to prevent pollution of the air, water and land, and to ensure clean-up of such pollution when it occurs.

The Vision of the agency is to lead Arizona and the nation in protecting and enhancing the environment and improving the quality of life for the people of our state.

The department is composed of four programs: air quality, water quality, waste, and administration. Together, the programs carry out the core functions of the agency: monitoring and assessment, pollution control, compliance management, clean-ups, policy development, education and outreach. These core functions are delivered for the citizens of Arizona within the context of the state's unique environment and culture.

Tribal Consultation Activities

ADEQ continues to collaborate with the 22 Tribes of Arizona and operate consistent with its Tribal Consultation Policy. The following table presents ADEQ's efforts to meet the goals set forth in its policy.

Policy Goal	Objective	Activity and Performance Measure
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On July 10, 2014, the Navajo Nation EPA Director requested a meeting with ADEQ to coordinate responses related to EPAs CO2 Rulemaking	EPA proposed new rules for reducing CO2 emissions by 2030 and this meeting initiated contact between the 2 agencies on how we would respond to the mandates. Stakeholder meetings will be established to address the rulemaking and develop action plans for meeting the requirements. NNEPA will be an active member of the stakeholder meetings.

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Policy Goal	Objective	Activity and Performance Measure
Share appropriate technical information and data with Tribes.	On July 23, 2014, ADEQ responded to hazardous waste disposal options questions from the Navajo Nation.	The Tribe reported satisfaction with the answers, but noted that the remote nature of Northeastern Arizona lends itself to higher hazardous waste transportation costs.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On August 8, 2014, attorneys representing the Yavapai-Prescott, Tribal Council contacted ADEQ's Director to inquire about sanitary sewer overflows from the city of Prescott that may have impacted tribal lands.	Meeting held with counsel on 9/5/2014 to discuss the incident. ADEQ was aware of the release and had initiated enforcement actions against the City. At the time of the meeting, the case had already been referred to the AGs office for judicial actions and penalties. Non-confidential information about the incident was provided the attorneys.
Open training programs to Tribal officials and Tribal staff whenever possible.	On September 5, 2014, ADEQ sent a reminder of RWIC meeting in Yuma to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of reminder of the meeting.
Open training programs to Tribal officials and Tribal staff whenever possible.	On September 8, 2014, ADEQ provided information on Water/Wastewater Rates Dashboard webinar to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Open training programs to Tribal officials and Tribal staff whenever possible.	On September 15, 2014, ADEQ provided information on ADEQ's P2 week and program to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Share appropriate technical information and data with Tribes.	On September 16, 2014 ADEQ answered Household Hazardous Waste event questions from the White Mountain Apache Tribe.	The Tribe's questions were addressed.
Share appropriate technical information and data with Tribes.	On September 22, 2014, ADEQ answered questions regarding Print Cartridge Recycling from the White Mountain Apache Tribe.	The Tribe's questions were addressed.

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Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On September 25, 2014, the Ak-Chin Environmental Protection Office requested to see the data ADEQ submitted to EPA to document exceptional events.	ADEQ Air Quality provided the data and ongoing communication between the two departments was established.
Share appropriate technical information and data with Tribes.	On October 1, 2014, ADEQ provided information on ADEQ's Children's Environmental Health Month.	Tribes were included in distribution of information.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On October 8, 2014, ADEQ provided a flyer for ADEQ waste management workshop in Page to Navajo and Hopi Nations.	The event was planned with input from the Navajo Nation EPA and NNEPA suggested Page for the location.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On October 25, 2014 ADEQ sponsored an E-Waste Recycling Event in Window Rock benefitting the Navajo Nation.	75 motorists participated and 64,741 pounds of material were collected for recycling, including e-waste from the Navajo Nation Property Warehouse and Ganado Unified School District.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On October 27, 2014, the San Carlos Apache contacted ADEQ because the Apache Sky Casino is lacking enough space for their WWTP. They have purchased property off the reservation for the WWTP, but now need an APP and AZPDES permit.	Working with ADEQ's Water Quality folks to obtain the necessary permits.
Share appropriate technical information and data with Tribes.	On October 27, 2014, the White Mountain Apache Tribe contacted ADEQ with questions about pharmaceutical waste collection events.	Information was supplied

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Share appropriate technical information and data with Tribes.	On October 31, 2014, ADEQ distributed information on High Pollution Advisory issued for Yuma area for PM-10 for 11/1 to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On November 3, 2014, the Hopi Nation contacted ADEQ for help with wastewater treatment system.	Recommendation to the Tribe (through Navajo County) on technical assistance opportunities.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On November 6, 2014 ADEQ held a Hazardous Waste workshop in Page.	Hazardous Waste workshop for regulated entities, invitation extended to Tribal members. Navajo and Hopi Tribal members attended.
Open training programs to Tribal officials and Tribal staff whenever possible.	On November 12, 2014 ADEQ held a Biohazardous Medical Waste Workshop in Show Low.	The White Mountain Apache Tribe was invited to the workshop and three Tribal members attended.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On November 13, 2014, the Navajo Nation contacted ADEQ with questions about used oil transporters.	The Tribe's questions were addressed.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On November 17, 2014, a coordination meeting between ADEQ, the Navajo Nation and elected officials regarding responding to EPA's Clean Power Plan was held.	Meeting between the Central Arizona Project, and representatives of Senator Carlyle Begay's office, Congressman Gosar's office, Senator Flake's office, Navajo Speaker's office, Navajo EPA, and Navajo Federal Affairs

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Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	Coordinated with an e-waste recycler concerning the Navajo Nation's concern about residual TVs from the October 25 public e-waste event. Also, helped schedule pickup of approximately 15 tons of e-waste from the Ganado Unified School District.	Collection was scheduled for December 11 and 12 pickup from NN PM (including residual TVs) and Ganado USD: 32,084 pounds.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues.	On December 11, 2014, San Carlos Service Unit PHS Indian Hospital (San Carlos Ave, San Carlos, AZ 85550) began evacuating their facility sometime before 1300 after individuals began to complain about GI and lung irritation, difficulty breathing (wheezing), throat irritation, and headaches.	ADEQ Emergency Response Unit mobilized to provide support to ADEM and the Tribe in addressing the situation.
Provide early notification to Tribes about decisions that may affect them.	On December 12, 2014, ADEQ provided an advisory issued by California's Department of Toxic Substances Control to the Colorado River Indian Tribe, Cocopah, and Fort Mohave.	Provided advisory from California and other information about CRT recycling plants looking to potentially establish locations on Tribal Lands. Goal was to ensure all appropriate permits are obtained and all hazardous materials are handled in a safe and protective manner.
Share appropriate technical information and data with Tribes.	On December 15, 2014, the Navajo Nation asked for data/statistics for the various e-waste recycling events which ADEQ has sponsored on the Navajo Nation	<p>July 28, 2012, Ganado: 42,565 pounds / 54 vehicles.</p> <p>October 17, 2013: Tuba City: 21,633 pounds / 25 vehicles.</p> <p>October 17, 2012: Kayenta – 53,400 pounds / 52 vehicles.</p> <p>August 16, 2013: Chinle – 100,690 pounds / 73 vehicles.</p> <p>May 9, 2014: Tuba City – 25,180 pounds / 15 vehicles.</p> <p>October 25, 2014: Window Rock – Pending (need data for additional trips) / 75 vehicles.</p>

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Share appropriate technical information and data with Tribes.	On December 24, 2014, ADEQ distributed information on High Pollution Advisory issued for Yuma area for PM-10 for 12/25 to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Work cooperatively with interested Tribes to develop State and Tribal capacity so that each Tribe, within its jurisdiction, can assume full responsibility for federal environmental programs.	On January 20, 2015 distributed a request to complete local government survey to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information. The survey sought to obtain information on the types of information small community and tribal leaders would like to see to help them make informed decisions on environmentally-related issues.
Open training programs to Tribal officials and Tribal staff whenever possible.	On January 20, 2015 information on a Drinking Water workshop in Lake Havasu City was distributed to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Share appropriate technical information and data with Tribes.	On January 21, 2015 information on WIFA Drinking Water planning and design funding opportunity was distributed to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Share appropriate technical information and data with Tribes.	On January 21, 2015 information on an executive order regarding rulemaking was distributed to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Share appropriate technical information and data with Tribes.	On February 20, 2015 a reminder for a WIFA planning and design technical assistance deadline was distributed to Cocopah, Quechan, and CRIT.	Tribes were included in distribution of information.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On March 3, 2015, the Navajo Nation contacted ADEQ because the Tribe may purchase the old Red Barn Liquor Store in Sanders, and asked about environmental issues on the parcel.	The Tribe was given information on the property and how to make a request to ADEQ's Records Center.

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Share appropriate technical information and data with Tribes.	On March 9, 2015, the Hopi Tribe asked for assistance for another e-waste recycling event and inquired about funding for an HHW collection event	The Tribe was satisfied with ADEQ's initial response and will call the 3 certified e-waste recyclers to determine which one to select.
Open training programs to Tribal officials and Tribal staff whenever possible.	On March 24, 2015 information on the City of Yuma's HAZWOPER training was distributed to Cocopah, Quechan, and CRIT	Tribes were included in distribution of information.
Share appropriate technical information and data with Tribes.	On March 26, 2015 information on the April 10th Border 2020 Emergency Preparedness Task Force meeting was distributed to Cocopah, Quechan, and CRIT	Tribes were included in distribution of information.
Open training programs to Tribal officials and Tribal staff whenever possible.	On March 31, 2015 ADEQ proctored an Operator Certification Practice Exam session in Whiteriver for the White Mountain Apache Tribe	Tribal members were unable to complete practice exams at a recent ADEQ workshop, so ADEQ committed to bringing a similar opportunity to the Tribe.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On April 8, 2015, Yuma County Public Health Services District asked for resources to help Cocopah Tribe with resources on air, water and soil, and possible soil and water testing.	Yuma County Public Health Services District. Tribal Liaison and CL met with Cocopah on 4/15/15.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On April 9, 2015, the Navajo Nation EPA inquired about ADEQ Emergency Response history on the Navajo Nation	The Tribe responded that ADEQ's answer was helpful.
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On April 15, 2015, ADEQ met with Cocopah Tribe and Yuma County Health Services regarding the Tribes desire to assess water quality and develop an action plan for better handling their environmental issues	ADEQ provided potential resource information and modified its Small Community Environmental Protection Plan into a Tribal Environmental Protection Plan as an example management system for their environmental issues.

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Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On April 18, 2015 ADEQ participated in an Earth Day Celebration held by the Salt River Pima Maricopa Indian Community	ADEQ participated and provided information of Waste reduction, water preservation and Children's Environmental Health
Provide technical assistance, sharing data, conducting joint Tribal-State projects and cooperatively resolve environmental issues	On April 24, 2015, ADEQ participated in an Earth Day Celebration held by the Ak-Chin Community	ADEQ participated and provided information of Waste reduction, water preservation and Children's Environmental Health
Share appropriate technical information and data with Tribes.	On June 8, 2015, CRIT staff notified ADEQ of a potential water quality issue with a public water system operating north of the Tribe	Conference call held between CRIT EPO Director and staff and ADEQ Water Quality staff to discuss issues and establish an open line of communication moving forward
Share appropriate technical information and data with Tribes.	On June 16, 2015 ADEQ provided notice to all Tribes on the proposed reissuance of the AZPDES De Minimis General Permit (DMGP)	Provided notice to Tribal Environmental Agencies of the proposed reissuance of the AZPDES DMGP, and provided an opportunity to for the Tribes to provide input.

Revisions to Tribal Consultation Policy

In FY 2016, ADEQ will review its Tribal Consultation Policy, which has been in effect since April 28, 2003, and initiate updates as appropriate.

For questions or more information, please contact:

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